

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 121873.00002US3 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/566152</b>
INTERNATIONAL APPLICATION NO. PCT/US2004/024469	INTERNATIONAL FILING DATE 28 July 2004	PRIORITY DATE CLAIMED 29 July 2003
TITLE OF INVENTION Optimization Method for Cardiac Resynchronization Therapy		
APPLICANT(S) FOR DO/EO/US Frank I. Marcus and Ding Sheng He		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/566152		PCT/US2004/024469		121873.00002US3	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ 200	
All other situations.....\$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ 100	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations.....\$500					
TOTAL OF 21, 22 and 23 =				600	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
34 - 100 =	0 /50 =	0	x \$250	\$ 0	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	23 - 20 =	3	x \$ 50	\$ 150	
Independent claims	3 - 3 =	0	x \$200	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) 0			+ \$360	\$ 0	
TOTAL OF ABOVE CALCULATIONS =				\$ 880	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				440	
SUBTOTAL =				\$ 440	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0	
TOTAL NATIONAL FEE =				\$ 440	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ -	
TOTAL FEES ENCLOSED =				\$ 440	
				Amount to be refunded:	\$
				Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 17-0055 in the amount of \$ 440 to cover the above fees.  
 A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 17-0055. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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 SIGNATURE

Gavin J. Milczarek-Desai

NAME

45,801

REGISTRATION NUMBER

10/566152

IAP9 Rec'd PCT/PTO 27 JAN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: FRANK I. MARCUS et al.

DOCKET NO.: 121873.00002US3

INTERNATIONAL APPL. NO.: PCT/US2004/024469

INTERNATIONAL FILING DATE: 28 July 2004

SERIAL NO.:

EXAMINER:

FILED:

ART UNIT:

TITLE: OPTIMIZATION METHOD FOR CARDIAC  
RESYNCHRONIZATION THERAPY

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Gavin J. Milczarek-Desai  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service utilizing the "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service, mailing label number **EV 629339936 US**, under 37 CFR 1.10 in an envelope addressed to: MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 27<sup>th</sup> day of January, 2006.

By: Alice B. Vanicek  
Alice B. Vanicek

Enclosed are:

- ☒ Itemized return postcard.
- ☐ A check in the amount of \$\_\_\_\_\_ for the filing fees
- ☒ Transmittal Letter to the U.S. Designated/Elected Office Concerning Submission Under 35 U.S.C. 371
- ☒ Preliminary Amendment
- ☐ Declaration for Utility or Design Patent Application
- ☐ Power of Attorney and Correspondence Address Indication Form
- ☐ Statement Under 37 CFR 3.73(b)
- ☐ A specification of the invention, claims and abstract.
- ☐ \_\_\_ sheets of drawings
- ☒ Application Data Sheet
- ☒ Information Disclosure Statement
- ☐ Copies of foreign references and literature articles
- ☐ Copy of priority document
- ☐ Other Items

Names: Frank I. Marcus, Ding Sheng He Docket No.: 122123.00002US3

SN/PT No./Reg. No.: \_\_\_\_\_ Filing/Issue Date: \_\_\_\_\_

Title/Mark: Optimization Method for Cardiac Resynchronization Therapy

(National Stage of PCT/US2004/024469)

The following items have been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ✓ Certificate of Mailing
- ✓ Transmittal Letter to the U.S. Designated/Elected Office Concerning Submission Under 35 U.S.C. 371
- ✓ Preliminary Amendment
- ✓ Information Disclosure Statement

**10/566152**

**IAP7 Rec'd PCT/PTO 27 JAN 2006**

Submitted: January 27, 2006

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